

|                               |                        |                     |  |
|-------------------------------|------------------------|---------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                               | 09/517,691             | DEKEYSER, MIEK      |  |
|                               | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                               | Annan Q Shang          | 2614                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Response filed 09/21/04.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ The drawings filed on 02 March 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## DETAILED ACTION

### *Allowable Subject Matter*

1. Claims 1-8 allowed.
2. The following is an examiner's statement of reasons for allowance:

With respect to claims 1 and 5 the instant invention is directed to an access network where channels of a distributive interactive service are broadcasted, where user terminals sends a request to a broadcasting unit close to the subscribers to indicate the requested channels, and if the requested channels is not available at the input of the broadcasting unit, the broadcasting unit generates second request indicative for the unavailable requested channel to a more central broadcasting unit for the requested channel. The relevant prior art of record such as **Watson, Jr. et al (6,266,816)** teach a cable television control apparatus which includes channel access controller which receives, at the input, all available television channels, filters out channels and provides services to as many as four subscriber households. **Tak-Shing P Yum (IEEE TRANSACTIONS ON COMMUNICATIONS, VOL. 39, No. 8, August 1, 1991)** teaches a network system with local switches to handle customer requests where the local switches receives a customer request, and if is current transmitting that program, it just sends a copy to that customer, on the other hand if the customer is the first one in that region to request that program, the local switch sends a signal to the central switch to ask for a copy and passes it on to the customer. **Rao (5,940,728)** teaches a network architecture which distributes digital information to subscriber units where near-video-on-demand (NVOD) server, provides program to various Video

Art Unit: 2614

Pedestal (VPs), which receives a request for video program from subscribers and if the requested video program is unavailable, the VP sends a request to the NVOD server for the requested video program. However, neither **Watson Jr., Yum** nor **Rao** and any of the cited references teach or suggest, alone or in combination, the feature where a broadcast unit "generates a second type request information indicative for the unavailable requested channel, when the at least one requested channel is not available at the input of the broadcasting unit, and a request transmitting means coupled to the request generating means for transmitting the second type request information to another broadcasting unit," as recited in the instant invention with respect to independent claim 1; and further neither **Watson Jr., Yum** nor **Rao** and any of the cited references teach or suggest, alone or in combination, the feature of "a second broadcasting unit processes the first type of request by broadcasting channels in the limited selection of channels and sending a second type requests to a first broadcasting unit for channels not within the limited selection of channels," as recited in the instant invention with respect to independent claim 5.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rao et al (6,594,826) disclose video pedestal network.

Bahl et al (6,385,454) disclose apparatus and method for management of resources in cellular networks.

Gupta et al (6,272,151) disclose scalable multimedia network.

Pierson, Jr. (6,272,128) discloses method and system for emulating a T1 link over an ATM network.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q Shang** whose telephone number is **703-305-2156**. The examiner can normally be reached on **700am-500pm**.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John W Miller** can be reached on **703-305-4795**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC) at 866-217-9197 (toll-free)**.



**Annan Q. Shang.**



**JOHN MILLER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600**